



Sen. Daniel Biss

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09900SB2966sam001

LRB099 19604 MRW 46763 a

1 AMENDMENT TO SENATE BILL 2966

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2966 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by changing  
5 Sections 6z-69 and 8.3 as follows:

6 (30 ILCS 105/6z-69)

7 Sec. 6z-69. Comprehensive Regional Planning Fund.

8 (a) As soon as possible after July 1, 2016 ~~2007~~, and on  
9 each July 1 thereafter ~~until July 1, 2010~~, the State Treasurer  
10 shall transfer \$6,000,000 ~~\$5,000,000~~ from the General Revenue  
11 Fund to the Comprehensive Regional Planning Fund. Beginning in  
12 2017, the amount of \$6,000,000 shall annually be increased by  
13 the annual unadjusted percentage increase (but not less than  
14 zero) of the Consumer Price Index for All Urban Consumers  
15 published by the United States Department of Labor (United  
16 States city average, all items, 1982-84 = 100) as reported on

1 January 1 of that year. If for any reason the aggregate  
2 appropriations made available are insufficient to meet the  
3 total amount of transfer required by this subsection, this  
4 subsection shall constitute a continuing appropriation of all  
5 amounts necessary for these purposes. The General Assembly may  
6 appropriate lesser amounts by law.

7 (b) ~~The Subject to appropriation, the~~ Illinois Department  
8 of Transportation shall make lump sum distributions from the  
9 Comprehensive Regional Planning Fund as soon as possible after  
10 each July 1 to the recipients and in the amounts specified in  
11 subsection (c). The recipients must use the moneys for  
12 comprehensive regional planning purposes.

13 (c) Each year's distribution under subsection (b) shall be  
14 as follows: (i) 70% to the Chicago Metropolitan Agency for  
15 Planning (CMAP); (ii) 25% to the State's other Metropolitan  
16 Planning Organizations (exclusive of CMAP), each Organization  
17 receiving a percentage equal to the percent its area population  
18 represents to the total population of the areas of all the  
19 State's Metropolitan Planning Organizations (exclusive of  
20 CMAP); and (iii) 5% to the State's Rural Planning Agencies,  
21 each Agency receiving a percentage equal to the percent its  
22 area population represents to the total population of the areas  
23 of all the State's Rural Planning Agencies.

24 (d) (Blank). ~~Notwithstanding any other provision of law, in~~  
25 ~~addition to any other transfers that may be provided by law, on~~  
26 ~~July 1, 2011, or as soon thereafter as practical, the State~~

1 ~~Comptroller shall direct and the State Treasurer shall transfer~~  
2 ~~the remaining balance from the Comprehensive Regional Planning~~  
3 ~~Fund into the General Revenue Fund. Upon completion of the~~  
4 ~~transfers, the Comprehensive Regional Planning Fund is~~  
5 ~~dissolved, and any future deposits due to that Fund and any~~  
6 ~~outstanding obligations or liabilities of that Fund pass to the~~  
7 ~~General Revenue Fund.~~

8 (e) There is created the Comprehensive Regional Planning  
9 Fund as a special fund in the State treasury.

10 (Source: P.A. 96-328, eff. 8-11-09; 97-72, eff. 7-1-11.)

11 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

12 Sec. 8.3. Money in the Road Fund shall, if and when the  
13 State of Illinois incurs any bonded indebtedness for the  
14 construction of permanent highways, be set aside and used for  
15 the purpose of paying and discharging annually the principal  
16 and interest on that bonded indebtedness then due and payable,  
17 and for no other purpose. The surplus, if any, in the Road Fund  
18 after the payment of principal and interest on that bonded  
19 indebtedness then annually due shall be used as follows:

20 first -- to pay the cost of administration of Chapters  
21 2 through 10 of the Illinois Vehicle Code, except the cost  
22 of administration of Articles I and II of Chapter 3 of that  
23 Code; and

24 secondly -- for expenses of the Department of  
25 Transportation for construction, reconstruction,

1 improvement, repair, maintenance, operation, and  
2 administration of highways in accordance with the  
3 provisions of laws relating thereto, or for any purpose  
4 related or incident to and connected therewith, including  
5 the separation of grades of those highways with railroads  
6 and with highways and including the payment of awards made  
7 by the Illinois Workers' Compensation Commission under the  
8 terms of the Workers' Compensation Act or Workers'  
9 Occupational Diseases Act for injury or death of an  
10 employee of the Division of Highways in the Department of  
11 Transportation; or for the acquisition of land and the  
12 erection of buildings for highway purposes, including the  
13 acquisition of highway right-of-way or for investigations  
14 to determine the reasonably anticipated future highway  
15 needs; or for making of surveys, plans, specifications and  
16 estimates for and in the construction and maintenance of  
17 flight strips and of highways necessary to provide access  
18 to military and naval reservations, to defense industries  
19 and defense-industry sites, and to the sources of raw  
20 materials and for replacing existing highways and highway  
21 connections shut off from general public use at military  
22 and naval reservations and defense-industry sites, or for  
23 the purchase of right-of-way, except that the State shall  
24 be reimbursed in full for any expense incurred in building  
25 the flight strips; or for the operating and maintaining of  
26 highway garages; or for patrolling and policing the public

1 highways and conserving the peace; or for the operating  
2 expenses of the Department relating to the administration  
3 of public transportation programs; or, during fiscal year  
4 2012 only, for the purposes of a grant not to exceed  
5 \$8,500,000 to the Regional Transportation Authority on  
6 behalf of PACE for the purpose of ADA/Para-transit  
7 expenses; or, during fiscal year 2013 only, for the  
8 purposes of a grant not to exceed \$3,825,000 to the  
9 Regional Transportation Authority on behalf of PACE for the  
10 purpose of ADA/Para-transit expenses; or, during fiscal  
11 year 2014 only, for the purposes of a grant not to exceed  
12 \$3,825,000 to the Regional Transportation Authority on  
13 behalf of PACE for the purpose of ADA/Para-transit  
14 expenses; or, during fiscal year 2015 only, for the  
15 purposes of a grant not to exceed \$3,825,000 to the  
16 Regional Transportation Authority on behalf of PACE for the  
17 purpose of ADA/Para-transit expenses; or for any of those  
18 purposes or any other purpose that may be provided by law.

19 Appropriations for any of those purposes are payable from  
20 the Road Fund. Appropriations may also be made from the Road  
21 Fund for the administrative expenses of any State agency that  
22 are related to motor vehicles or arise from the use of motor  
23 vehicles.

24 Beginning with fiscal year 1980 and thereafter, no Road  
25 Fund monies shall be appropriated to the following Departments  
26 or agencies of State government for administration, grants, or

1 operations; but this limitation is not a restriction upon  
2 appropriating for those purposes any Road Fund monies that are  
3 eligible for federal reimbursement;

4 1. Department of Public Health;

5 2. Department of Transportation, only with respect to  
6 subsidies for one-half fare Student Transportation and  
7 Reduced Fare for Elderly, except during fiscal year 2012  
8 only when no more than \$40,000,000 may be expended and  
9 except during fiscal year 2013 only when no more than  
10 \$17,570,300 may be expended and except during fiscal year  
11 2014 only when no more than \$17,570,000 may be expended and  
12 except during fiscal year 2015 only when no more than  
13 \$17,570,000 may be expended;

14 3. Department of Central Management Services, except  
15 for expenditures incurred for group insurance premiums of  
16 appropriate personnel;

17 4. Judicial Systems and Agencies.

18 Beginning with fiscal year 1981 and thereafter, no Road  
19 Fund monies shall be appropriated to the following Departments  
20 or agencies of State government for administration, grants, or  
21 operations; but this limitation is not a restriction upon  
22 appropriating for those purposes any Road Fund monies that are  
23 eligible for federal reimbursement:

24 1. Department of State Police, except for expenditures  
25 with respect to the Division of Operations;

26 2. Department of Transportation, only with respect to

1 Intercity Rail Subsidies, except during fiscal year 2012  
2 only when no more than \$40,000,000 may be expended and  
3 except during fiscal year 2013 only when no more than  
4 \$26,000,000 may be expended and except during fiscal year  
5 2014 only when no more than \$38,000,000 may be expended and  
6 except during fiscal year 2015 only when no more than  
7 \$42,000,000 may be expended, and Rail Freight Services.

8 Beginning with fiscal year 1982 and thereafter, no Road  
9 Fund monies shall be appropriated to the following Departments  
10 or agencies of State government for administration, grants, or  
11 operations; but this limitation is not a restriction upon  
12 appropriating for those purposes any Road Fund monies that are  
13 eligible for federal reimbursement: Department of Central  
14 Management Services, except for awards made by the Illinois  
15 Workers' Compensation Commission under the terms of the  
16 Workers' Compensation Act or Workers' Occupational Diseases  
17 Act for injury or death of an employee of the Division of  
18 Highways in the Department of Transportation.

19 Beginning with fiscal year 1984 and thereafter, no Road  
20 Fund monies shall be appropriated to the following Departments  
21 or agencies of State government for administration, grants, or  
22 operations; but this limitation is not a restriction upon  
23 appropriating for those purposes any Road Fund monies that are  
24 eligible for federal reimbursement:

- 25 1. Department of State Police, except not more than 40%  
26 of the funds appropriated for the Division of Operations;

1           2. State Officers.

2           Beginning with fiscal year 1984 and thereafter, no Road  
3 Fund monies shall be appropriated to any Department or agency  
4 of State government for administration, grants, or operations  
5 except as provided hereafter; but this limitation is not a  
6 restriction upon appropriating for those purposes any Road Fund  
7 monies that are eligible for federal reimbursement. It shall  
8 not be lawful to circumvent the above appropriation limitations  
9 by governmental reorganization or other methods.  
10 Appropriations shall be made from the Road Fund only in  
11 accordance with the provisions of this Section.

12           Money in the Road Fund shall, if and when the State of  
13 Illinois incurs any bonded indebtedness for the construction of  
14 permanent highways, be set aside and used for the purpose of  
15 paying and discharging during each fiscal year the principal  
16 and interest on that bonded indebtedness as it becomes due and  
17 payable as provided in the Transportation Bond Act, and for no  
18 other purpose. The surplus, if any, in the Road Fund after the  
19 payment of principal and interest on that bonded indebtedness  
20 then annually due shall be used as follows:

21           first -- to pay the cost of administration of Chapters  
22 2 through 10 of the Illinois Vehicle Code; and

23           secondly -- no Road Fund monies derived from fees,  
24 excises, or license taxes relating to registration,  
25 operation and use of vehicles on public highways or to  
26 fuels used for the propulsion of those vehicles, shall be

1       appropriated or expended other than for costs of  
2       administering the laws imposing those fees, excises, and  
3       license taxes, statutory refunds and adjustments allowed  
4       thereunder, administrative costs of the Department of  
5       Transportation, including, but not limited to, the  
6       operating expenses of the Department relating to the  
7       administration of public transportation programs, payment  
8       of debts and liabilities incurred in construction and  
9       reconstruction of public highways and bridges, acquisition  
10      of rights-of-way for and the cost of construction,  
11      reconstruction, maintenance, repair, and operation of  
12      public highways and bridges under the direction and  
13      supervision of the State, political subdivision, or  
14      municipality collecting those monies, or during fiscal  
15      year 2012 only for the purposes of a grant not to exceed  
16      \$8,500,000 to the Regional Transportation Authority on  
17      behalf of PACE for the purpose of ADA/Para-transit  
18      expenses, or during fiscal year 2013 only for the purposes  
19      of a grant not to exceed \$3,825,000 to the Regional  
20      Transportation Authority on behalf of PACE for the purpose  
21      of ADA/Para-transit expenses, or during fiscal year 2014  
22      only for the purposes of a grant not to exceed \$3,825,000  
23      to the Regional Transportation Authority on behalf of PACE  
24      for the purpose of ADA/Para-transit expenses, or during  
25      fiscal year 2015 only for the purposes of a grant not to  
26      exceed \$3,825,000 to the Regional Transportation Authority

1 on behalf of PACE for the purpose of ADA/Para-transit  
2 expenses, and the costs for patrolling and policing the  
3 public highways (by State, political subdivision, or  
4 municipality collecting that money) for enforcement of  
5 traffic laws. The separation of grades of such highways  
6 with railroads and costs associated with protection of  
7 at-grade highway and railroad crossing shall also be  
8 permissible.

9 Appropriations for any of such purposes are payable from  
10 the Road Fund or the Grade Crossing Protection Fund as provided  
11 in Section 8 of the Motor Fuel Tax Law.

12 Except as provided in this paragraph, beginning with fiscal  
13 year 1991 and thereafter, no Road Fund monies shall be  
14 appropriated to the Department of State Police for the purposes  
15 of this Section in excess of its total fiscal year 1990 Road  
16 Fund appropriations for those purposes unless otherwise  
17 provided in Section 5g of this Act. For fiscal years 2003,  
18 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be  
19 appropriated to the Department of State Police for the purposes  
20 of this Section in excess of \$97,310,000. For fiscal year 2008  
21 only, no Road Fund monies shall be appropriated to the  
22 Department of State Police for the purposes of this Section in  
23 excess of \$106,100,000. For fiscal year 2009 only, no Road Fund  
24 monies shall be appropriated to the Department of State Police  
25 for the purposes of this Section in excess of \$114,700,000.  
26 Beginning in fiscal year 2010, no road fund moneys shall be

1 appropriated to the Department of State Police. It shall not be  
2 lawful to circumvent this limitation on appropriations by  
3 governmental reorganization or other methods unless otherwise  
4 provided in Section 5g of this Act.

5 In fiscal year 1994, no Road Fund monies shall be  
6 appropriated to the Secretary of State for the purposes of this  
7 Section in excess of the total fiscal year 1991 Road Fund  
8 appropriations to the Secretary of State for those purposes,  
9 plus \$9,800,000. It shall not be lawful to circumvent this  
10 limitation on appropriations by governmental reorganization or  
11 other method.

12 Beginning with fiscal year 1995 and thereafter, no Road  
13 Fund monies shall be appropriated to the Secretary of State for  
14 the purposes of this Section in excess of the total fiscal year  
15 1994 Road Fund appropriations to the Secretary of State for  
16 those purposes. It shall not be lawful to circumvent this  
17 limitation on appropriations by governmental reorganization or  
18 other methods.

19 Beginning with fiscal year 2000, total Road Fund  
20 appropriations to the Secretary of State for the purposes of  
21 this Section shall not exceed the amounts specified for the  
22 following fiscal years:

23	Fiscal Year 2000	\$80,500,000;
24	Fiscal Year 2001	\$80,500,000;
25	Fiscal Year 2002	\$80,500,000;
26	Fiscal Year 2003	\$130,500,000;

1	Fiscal Year 2004	\$130,500,000;
2	Fiscal Year 2005	\$130,500,000;
3	Fiscal Year 2006	\$130,500,000;
4	Fiscal Year 2007	\$130,500,000;
5	Fiscal Year 2008	\$130,500,000;
6	Fiscal Year 2009	\$130,500,000.

7 For fiscal year 2010, no road fund moneys shall be  
8 appropriated to the Secretary of State.

9 Beginning in fiscal year 2011, moneys in the Road Fund  
10 shall be appropriated to the Secretary of State for the  
11 exclusive purpose of paying refunds due to overpayment of fees  
12 related to Chapter 3 of the Illinois Vehicle Code unless  
13 otherwise provided for by law.

14 Notwithstanding any other provision of law to the contrary,  
15 beginning in fiscal year 2017 and thereafter, money in the Road  
16 Fund shall be appropriated to the Department of Transportation  
17 on a continuing annual basis in each fiscal year in the amounts  
18 made available by the United States Department of  
19 Transportation Federal Highway Administration and Federal  
20 Transit Administration under apportionment notice, federal  
21 appropriation, and authorization legislation, as provided  
22 under the federal Fixing America's Surface Transportation Act  
23 and any other federal transportation authorizations to be  
24 distributed to the Chicago Metropolitan Agency for Planning and  
25 the State's other Metropolitan Planning Organizations for  
26 metropolitan planning activities as provided by the United

1 States Department of Transportation under the authority of 23  
2 U.S.C. 134 and 23 U.S.C. 135.

3 It shall not be lawful to circumvent this limitation on  
4 appropriations by governmental reorganization or other  
5 methods.

6 No new program may be initiated in fiscal year 1991 and  
7 thereafter that is not consistent with the limitations imposed  
8 by this Section for fiscal year 1984 and thereafter, insofar as  
9 appropriation of Road Fund monies is concerned.

10 Nothing in this Section prohibits transfers from the Road  
11 Fund to the State Construction Account Fund under Section 5e of  
12 this Act; nor to the General Revenue Fund, as authorized by  
13 this amendatory Act of the 93rd General Assembly.

14 The additional amounts authorized for expenditure in this  
15 Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91  
16 shall be repaid to the Road Fund from the General Revenue Fund  
17 in the next succeeding fiscal year that the General Revenue  
18 Fund has a positive budgetary balance, as determined by  
19 generally accepted accounting principles applicable to  
20 government.

21 The additional amounts authorized for expenditure by the  
22 Secretary of State and the Department of State Police in this  
23 Section by this amendatory Act of the 94th General Assembly  
24 shall be repaid to the Road Fund from the General Revenue Fund  
25 in the next succeeding fiscal year that the General Revenue  
26 Fund has a positive budgetary balance, as determined by

1 generally accepted accounting principles applicable to  
2 government.

3 (Source: P.A. 97-72, eff. 7-1-11; 97-732, eff. 6-30-12; 98-24,  
4 eff. 6-19-13; 98-674, eff. 6-30-14.)

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.".